

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

United States of America,	)	Criminal No. 5:95-320-PMD
	)	
vs.	)	
	)	<b>ORDER</b>
Norbert Stewart	)	
_____	)	

This matter is before the court on defendant's *pro se* motion for a reduction of sentence, filed in this court July 22, 2011. Defendant seeks a reduction of his sentence based upon the recent Amendment to the United States Sentencing Guidelines, namely Amendment 750.

This Amendment reduced the Guidelines range for those sentences involving cocaine base or "crack" cocaine. Defendant is not eligible for consideration based upon this Amendment to the sentencing guidelines because he was found to be accountable and sentenced for a drug quantity which is well above the highest base offense level. Accordingly, a reduction in the defendant's term of imprisonment is not authorized, as Amendment 750 had no effect on lowering the defendant's applicable guideline range pursuant to U.S.S.G. § 1B1.10(a)(2)(B).

Defendant's motion is, therefore, **DENIED**.

**AND IT IS SO ORDERED.**

  
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PATRICK MICHAEL DUFFY  
United States District Judge

April 19, 2012  
Charleston, South Carolina